

IN THE SENATE OF THE UNITED STATES.

MARCH 31, 1880.—Ordered to be printed.

Mr. LOGAN, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bill S. 131.]

*The Committee on Military Affairs, to whom was referred the bill (S. 131) for the relief of John W. Chickering, having duly considered the same, ask leave to submit the following report:*

From the record furnished from the War Department it appears that this officer was tried by court-martial in December, 1874, and sentenced to be cashiered. The court consisted of five members, the minimum allowed by law, three of whom recommended Lieutenant Chickering to the clemency of the commanding officer.

The main question involved was whether he (Chickering) was on duty at the time he was charged with intoxication; he could only be considered technically so on duty.

This bill requires no back pay for services not performed, and merely allows his appointment in the Army after a suspension from rank and pay for a period of over five years. They therefore report back the bill and recommend its passage; and ask to withdraw report No. 148 and substitute this in its place.

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